



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Philip D. Murphy
Governor
Sheila Y. Oliver
Lt. Governor

Deirdré L. Webster Cobb
Chairperson

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
NOVEMBER 17, 2021**

**Deirdré L. Webster Cobb, Chairperson
Dolores Gorczyca
Diomedes Tsitouras**

NOVEMBER 17, 2021

A regular meeting of the Civil Service Commission was held on Wednesday, November 17, 2021, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca and Diomedes Tsitouras; Pamela Ullman, Deputy Attorney General; Allison Chris Myers, Director, Division of Appeals and Regulatory Affairs. All individuals listed participated via teleconference.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 2, 2020, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of October 27, 2021.

ACTION: The Civil Service Commission adopted the minutes of its meeting of October 27, 2021.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Michael Paul, Building Maintenance Worker, City of Hackensack, Department of Public Works, resignation not in good standing.

Ronald Sexton, Jr., Maintenance Repairer, Mercer County, Department of Transportation and Infrastructure, release at the end of the working test period.

Andrew Will, Truck Driver, Monroe Township, Department of Public Works, removal.

ACTION: The Civil Service Commission noted the withdrawal of appeals without prejudice.

DISMISSAL FOR FAILURE TO APPEAR

The Civil Service Commission dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Ellen Brown, Custodial Worker, Newark School District, release at the end of the working test period, effective April 23, 2021.

Keesha Miller, Correctional Police Sergeant, South Woods State Prison, Department of Corrections, removal.

ACTION: The Civil Service Commission noted the dismissal of appeals without prejudice.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Nabila Abdul-Warith
Judiciary
Mercer Vicinage
Suspension

Daniel Clement
Bayside State Prison
Department of Corrections
Removal

James Dean
South Woods State Prison
Department of Corrections
Removal

Bernadette Dieujuste
New Jersey Veterans Memorial Home – Menlo Park
Department of Military and Veterans Affairs
Removal

Matthew Liloia
City of Clifton
Department of Public Safety
Removal

ACTION: The Civil Service Commission directed that this matter be remanded to the Office of Administrative Law.

Vincent Lupo
Township of West Milford
Department of Planning
Layoff

Dwayne Lyken
New Lisbon Developmental Center
Department of Human Services
Removal

ACTION: The Civil Service Commission directed that this matter be held over.

Kent Mulford
Borough of South Toms River
Department of Public Works
Removal

ACTION: The Civil Service Commission acknowledged the settlements with the exceptions noted above.

A-2 JUAN CRUZ – CSC DOCKET NO. 2020-2550

Juan Cruz, County Correctional Police Officer, Hudson County, Department of Corrections, removal and resignation not in good standing effective August 11, 2020, on charges of insubordination, conduct unbecoming a public employee, neglect of duty, chronic or excessive absenteeism or lateness, job abandonment and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal and resignation not in good standing.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-3 ERIC EBON, SR. – CSC DOCKET NO. 2021-338

Eric Ebron, Sr., Laborer 1, City of Plainfield, Department of Public Works, 65 working day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Increase the 65 working day suspension to a six-month suspension.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge and ordered that the appellant undergo further anger management.

A-4 MUHAMMAD GONZALEZ - CSC DOCKET NO. 2021-200

Muhammad Gonzalez, Hospital Attendant, Hudson County, Department of Health and Human Services, Meadowview Psychiatric Hospital, removal effective July 15, 2020, on charges of insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission directed that this matter be held over.

A-5 DANIEL IBRAHIM – CSC DOCKET NO. 2019-99

Daniel Ibrahim, County Correctional Police Officer, Mercer County Correction Center, 10 working day suspension on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 10 working day suspension.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-6 ERIC LANGE – CSC DOCKET NO. 2021-1426

Eric Lange, Correctional Police Lieutenant, Edna Mahan Correctional Facility, Department of Corrections, removal effective August 27, 2020, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a six-month suspension.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and upheld the removal.

A-7 WILLIAM RUSK, JR. – CSC DOCKET NO. 2021-1507

William Rusk, Jr., Truck Driver, Gloucester City, Utilities Department, removal effective January 14, 2021, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-8 VITALY SMIRNOV – CSC DOCKET NO. 2019-3335

Vitaly Smirnov, Senior Investment Analyst, Division of Investment, Department of the Treasury, removal effective May 10, 2019, on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and modified the removal to a six-month suspension.

SECTION B – MISCELLANEOUS MATTERS

B-1 ROBERT SCANNIELLO – CSC DOCKET NO. 2021-1493

Robert Scanniello appeals the removal of his name from the eligible list for Fire Fighter (M1818W), Elizabeth, on the basis that he resided outside the residency scope.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-2 JAMES LOPERA, *ET AL.* – CSC DOCKET NOS. 2022-498, *ET AL.*

James Lopera, Robert Marini and Ryan O’Neill, represented by Stephen B. Hunter, Esq., appeal the decisions of the Division of Agency Services that the proper classification of their position with Bergen County are County Correctional Police Officer.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-3 T.H. – CSC DOCKET NO. 2022-487

T.H. requests to file a late application for the promotional examination for Technical Assistant Personnel (PS6103P), State Police.

ACTION: The Civil Service Commission directed that this request be granted.

B-4 JAMES WILKES, JR. – CSC DOCKET NO. 2022-837

James Wilkes, Jr., appeals the scoring of the Maintenance Supervisor, Grounds (PC3324C), Union County promotional examination.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-5 MARJORIE BAKER – CSC DOCKET NO. 2022-571

Marjorie Baker appeals the determination of the Division of Agency Services that she did not meet the education requirements for the promotional examination for Social Work Supervisor 2, Developmental Disabilities (PS5969K), Vineland Developmental Center.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-6 BYRON BRITTON – CSC DOCKET NO. 2022-704

Byron Britton appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Senior Maintenance Repairer (PC3243C), Burlington County.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-7 SCOTT CLARK, *ET AL.* – CSC DOCKET NOS. 2022-670, *ET AL.*

Scott Clark, Tyler Frey, Kyle Hoffman, Kirk Keyes, Terence O'Brien, Russell Prokop, Joseph San Roman and Frederick Sharp appeal the determinations of the Division of Agency Services that they lacked the required amount of permanent status in a title to which the Supervising Public Safety Telecommunicator (PC3100C), Morris County, examination was open.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-8 SANTA RAHOLA – CSC DOCKET NO. 2022-425

Santa Rahola appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Clerk 2 (PC2902B), Morris County.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-9 OVERTIME PROGRAM, DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT – CSC DOCKET NO. 2022-935

The Division of Agency Services, on behalf of the Department of Labor and Workforce Development, requests that the provisions of *N.J.A.C.* 4A:3-5.3 be relaxed to provide certain individuals in non-limited, non-exempt titles cash compensation at one and one-half times the regular rate for hours worked between 35 and 40 hours.

ACTION: The Civil Service Commission directed that this request be granted.

B-10 MARIA-ELENA FILOSA – CSC DOCKET NO. 2022-210

Maria-Elena Filosa, a Keyboarding Clerk 2, requests to have her application and examination score for Keyboarding Clerk 2 (PC3022B), Monmouth County, transferred and applied to the Keyboarding Clerk 2 (PC3021B), Monmouth County, examination.

ACTION: The Civil Service Commission directed that this request be granted in part.

B-11 PUBLIC HEALTH RECOVERY DIVISION, EPIDEMIOLOGY AND LABORATORY CAPACITY ENHANCING DETECTION – CSC DOCKET NO. 2022-936

The Department of Health (DOH) requests that the temporary unclassified appointments to various career service titles that were approved in *In the Matter of Interim Public Health Recovery Division, Epidemiology and Laboratory Capacity Enhancing Detection* (CSC, decided August 19, 2020) to allow expedited staffing of the interim Public Health Recovery Division, Epidemiology and Laboratory Capacity Enhancing Detection, DOH be extended until December 30, 2025.

ACTION: The Civil Service Commission directed that this request be granted.

B-12 CIVIL SERVICES COMMISSION MEETING DATES FOR 2022

The proposed 2022 Civil Service Commission meeting dates are submitted for approval.

ACTION: The Civil Service Commission approved the meeting dates for 2022.

B-13 VINCENT ANEPETE - CSC DOCKET NO. 2022-801

Vincent Anepete appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Senior Repairer (PS5042G), Department of Environmental Protection.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-14 CHERYL BANGHART - CSC DOCKET NO. 2021-1820

Cheryl Banghart appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements, per the substitutional clause for education, for the promotional examination for Field Representative Senior Citizens Program (PC2675B), Warren County.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-15 WILLIAM LOUIS-BAPTISTE – CSC DOCKET NO. 2022-622

William Louis-Baptiste appeals the determination of the Division of Agency Services that he did not meet the experience requirement for the promotional examination for Affirmative Action Officer (PM3275C), Newark.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-16 TONIN BERISHA – CSC DOCKET NO. 2022-839

Tonin Berisha appeals the determination of the Division of Agency Services that he did not meet the experience requirement for the promotional examination for Road Repairer 3 (PM3338C), Borough of Fairview.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-17 JODI BOTLINGER CSC DOCKET NO. 2021-1456

Jodi Botlinger appeals the determination of the Division of Agency Services, which found that, per the substitution clause for education, she failed to meet the experience requirements for the promotional examination for Personnel Officer (PM2285B), Burlington Township.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-18 GEORGE RASARE - CSC DOCKET NO. 2021-900

George Rasare appeals the determination of the Division of Agency Services, which found that, per the substitution clause for education, he did not meet the experience requirement for the open competitive examination for Family Service Worker (C0097B), Hunterdon County.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-19 ANTONIO SALTERS - CSC DOCKET NO. 2021-1827

Antonio Salters appeals the bypass of his name on the eligible list for Fire Fighter (M1838W), Hillside Township.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-20 MARLON SANTOS - CSC DOCKET NO. 2021-1132

Marlon Santos petitions the Civil Service Commission for a retroactive date of provisional appointment to the title of Storekeeper 1.

ACTION: The Civil Service Commission directed that this petition be granted.

B-21 JAMES ARPINO - CSC DOCKET NO. 2022-896

James Arpino requests placement on the certification (PL210681) resulting from the examination for Battalion Fire Chief (PM2170W), Voorhees Township.

ACTION: The Civil Service Commission directed that this request be granted.

B-22 MICHELE FRASCELLA - CSC DOCKET NO. 2022-340

Michele Frascella, a former Administrative Analyst 2 with the Division of Gaming Enforcement, requests that the provisions of *N.J.A.C. 4A:6-3.4(a)*, which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit her to submit a late application for SCOR benefits.

ACTION: The Civil Service Commission directed that this request be granted.

B-23 JO ASTRID GLADING - CSC DOCKET NO. 2022-757

Jo Astrid Glading, a former Assistant Deputy Public Advocate 1, with the Office of the Public Defender, requests that the provisions of *N.J.A.C.* 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit her to submit a late application for SCOR benefits.

ACTION: The Civil Service Commission directed that this request be granted.

B-24 OVERTIME PROGRAM, DEPARTMENT OF LAW AND PUBLIC SAFETY- CSC DOCKET NO. 2022-1089

The Department of Law and Public Safety, Division of State Police, Criminal Justice Records Bureau and Discovery Unit, requests that the provisions of *N.J.A.C.* 4A:3-5.3 be relaxed to provide certain individuals in non-limited, non-exempt titles, cash compensation at the regular rate for hours worked between 35 hours and 40 hours, and cash compensation at one and one-half times the regular rate for hours worked over 40 hours.

ACTION: The Civil Service Commission directed that this request be granted.

B-25 HEALTH FACILITY SURVEY & FIELD OPERATIONS DEPARTMENT OF HEALTH - CSC DOCKET NO. 2022-1120

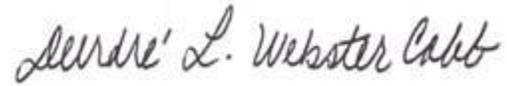
The Department of Health requests that the provisions of *N.J.A.C.* 4A:3-5.7(d) be relaxed to provide certain individuals in exempt non-limited titles, overtime for any hours worked on October 23 and 24, 2021, after 35 hours.

ACTION: The Civil Service Commission directed the request to relax *N.J.A.C.* 4A:3-5.7(d) be denied. However, under these extreme circumstances, the Commission ordered the relaxation of *N.J.A.C.* 4A:3-5.7(e)2 and that a special project rate be provided for hours worked on October 23 and 24, 2021.

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, December 1, 2021, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission